

JOURNAL OF THE HOUSE.

Monday, April 2, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God of Compassion and Truth, at the beginning of this week of religious observances and gatherings, we turn our thoughts to You, Our Creator, spiritual values and significant historical religious events. For the Jewish Community Passover is an occasion to recognize the importance of human and religious freedom and a time for personal happiness, peace and hope for a bright future. The Christian Community is observing the religious events of Holy Week and Easter Sunday with hearts filled with joy and love. In these worldwide turbulent times, we are grateful for our federal and state constitutions which recognize our innate human, civil and religious rights. Both protect us as we conduct our religious services and as we offer our traditional forms of prayer without interference.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Rehabilitation Commission.

Resolutions (filed by Mr. Atsalis of Barnstable and other members of the House) on the occasion of the Massachusetts Rehabilitation Commission's fiftieth anniversary celebration;

Free Trade Agreement.

Resolutions (filed by Mr. Bosley of North Adams) supporting a Taiwan-U.S. Free Trade Agreement (TUFTA); and

Colleen Less.

Resolutions (filed by Representatives Creedon of Brockton and Canavan of Brockton) on the retirement of Colleen Less;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Pedone of Worcester, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Orleans, affordable housing.

Ms. Peake of Provincetown presented a petition (accompanied by bill, House, No. 3970) of Sarah K. Peake and Robert A. O'Leary (by vote of the town) that the town of Orleans be exempt from the

prevailing wage law in the construction of affordable housing in said town; and the same was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

A petition (subject to Joint Rule 9) of Cleon H. Turner and others relative to authorizing the Dennis Water District and MHC Old Chatham L.L.C. to exchange certain parcels of land (having been deposited in the office of the Clerk previous to five o'clock in the afternoon on Wednesday, January 10, 2007) was transmitted to the State Secretary under Chapter 3 of the General Laws.

Dennis Water District, land.

Papers from the Senate.

A report of the committee on Children, Families and Persons with Disabilities, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 102) of Richard T. Moore for legislation to require immunization of children against human pampilloma virus, and recommending that the same be referred to the committee on Health Care Financing,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Immunizations.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2173) of James E. Timilty, John H. Rogers, Richard J. Ross and Louis L. Kafka for legislation to authorize the Massachusetts Water Resources Authority to provide certain services between the town of Walpole and the town of Sharon; and

Walpole and Sharon, MWRA.

Petition (accompanied by bill, Senate, No. 2174) of James E. Timilty, John H. Rogers, Stanley C. Rosenberg and Louis L. Kafka for legislation to authorize the Massachusetts Water Resources Authority to provide certain services between the town of Walpole and the town of Foxborough;

Walpole and Foxborough, MWRA.

Severally to the committee on Environment, Natural Resources and Agriculture.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2165) of Patricia D. Jehlen and Timothy J. Toomey, Jr. (with the approval of the mayor and board of aldermen) for legislation to amend the charter of the city of Somerville to provide for an operations manager of waterworks and 311 director;

Somerville waterworks, 311 director.

Petition (accompanied by bill, Senate, No. 2166) of Patricia D. Jehlen and Timothy J. Toomey, Jr. (with the approval of the mayor and board of aldermen) for legislation to create a municipal hearing officer to hear appeals of violation notices issued in the city of Somerville in accordance with G.L.C., 40 SS 21D;

Somerville hearing officer.

Petition (accompanied by bill, Senate, No. 2168) of Patricia D. Jehlen, Timothy J. Toomey, Jr., and Carl M. Sciortino, Jr. (with the approval of the mayor and board of aldermen) for legislation relative to health inspectors of the city of Somerville;

Somerville, health inspectors.

Somerville
Public
Works.

Petition (accompanied by bill, Senate, No. 2169) of Patricia D. Jehlen, Carl M. Sciortino, Jr. and Timothy J. Toomey, Jr., (with the approval of the mayor and board of aldermen) for legislation to amend the charter of the city of Somerville;

Somerville,
off duty
details.

Petition (accompanied by bill, Senate, No. 2170) of Patricia D. Jehlen and Timothy J. Toomey, Jr. (with the approval of the mayor and board of aldermen) relative to off-duty work details or special details performed by public employees in the city of Somerville; and

Somerville
Retirement
Board.

Petition (accompanied by bill, Senate, No. 2172) of Patricia D. Jehlen and Timothy J. Toomey, Jr. (with the approval of the mayor and board of aldermen) for legislation to authorize the Somerville Retirement Board to purchase or lease property, facilities and equipment;

Severally to the committee on Municipalities and Regional Government.

Somerville,
open space.

Petition (accompanied by bill, Senate, No. 2167) of Patricia D. Jehlen, Carl M. Sciortino, Jr., and Timothy J. Toomey (with the approval of the mayor and board of aldermen) for legislation to establish a project mitigation contribution ("linkage") program for open space and historic preservation in the city of Somerville; and

Somerville,
historic
trust fund.

Petition (accompanied by bill, Senate, No. 2171) of Patricia D. Jehlen, Carl M. Sciortino, Jr., and Timothy J. Toomey, Jr. (with the approval of the mayor and board of aldermen) for legislation to authorize the establishment of a municipal open space and historic preservation trust fund in the city of Somerville;

Severally to the committee on Tourism, Arts and Cultural Development.

Reports of Committees.

By Mrs. Haddad of Somerset, for the committee on Education, asking to be discharged from further consideration

Veterans
siblings.

Of the petition (accompanied by bill, Senate, No. 315) of John A. Hart, Jr. for legislation relative to veterans' siblings;

Fund, loan
repayment.

Of the petition (accompanied by bill, Senate, No. 318) of Robert A. Havern for legislation to establish a loan repayment fund;

Higher
Education
Consortium.

Of the petition (accompanied by bill, House, No. 512) of Alice Hanlon Peisch for legislation to restrict the Massachusetts Higher Education Consortium from charging a fee for providing qualified bidders with electronic bid information;

Visually
impaired
students.

Of the petition (accompanied by bill, House, No. 546) of Tom Sannicandro and others that the Board of Education be required to provide Braille and electronic material to visually impaired students;

Deaf and
sign language
studies.

Of the petition (accompanied by bill, House, No. 548) of Tom Sannicandro and others relative to a grant program for deaf and sign language studies in the higher education colleges of the Commonwealth; and

Credit card
payments.

Of the petition (accompanied by bill, House, No. 563) of Stephen Stat Smith and Matthew C. Patrick for legislation to prohibit educational institutions from imposing surcharges on credit card payments;

And recommending that the same severally be referred to the committee on Higher Education;

Of the petition (accompanied by bill, House, No. 390) of Bruce J. Ayers for legislation to allow local housing authorities access to criminal records of tenants and prospective tenants,— and recommending that the same be referred to the committee on the Judiciary;

Tenants,
records.

Of the petition (accompanied by bill, House, No. 489) of Peter J. Koutoujian and Jennifer M. Callahan relative to the public health impact of commercialism in schools,— and recommending that the same be referred to the committee on Public Health;

Schools,
commercialism.

Of the petition (accompanied by bill, House, No. 409) of Robert K. Coughlin and Timothy P. Cahill that the Treasurer and Receiver-General of the Commonwealth be authorized to establish retirement plans for employees of non-profit organizations;

Non-profits,
retirement
plans.

Of the petition (accompanied by bill, House, No. 420) of Mark V. Falzone relative to protecting the rights of custodial and other non-teaching employees of school districts; and

School
district
employees.

Of the joint petition (accompanied by bill, House, No. 591) of Martin J. Walsh and others relative to the resolution of school labor disputes;

Schools,
labor
disputes.

And recommending that the same severally be referred to the committee on Public Service;

By Mr. Bradley of Hingham, for the committee on Election Laws, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 679) of David M. Nangle for legislation to require the publication of deaths by next of kin in local newspapers in the Commonwealth,— and recommending that the same be referred to the committee on Public Health;

Deaths,
publication.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1126) of Robert Correia and others for legislation to increase the personal care allowance of residents of long-term care facilities,— and recommending that the same be referred to the committee on Elder Affairs;

Long term
care
facilities,
allowances.

By Mr. Binienda of Worcester, for the committee on Revenue, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 3037) of J. James Marzilli, Jr., and Peter V. Kocot relative to the use of surplus state land in the development of solar and wind power generating facilities,— and recommending that the same be referred to the committee on Bonding, Capital Expenditures and State Assets;

Solar
and wind
power,
development.

Of the petition (accompanied by bill, House, No. 2974) of Louis L. Kafka relative to unsolicited credit cards, checks, and vouchers by mail,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure; and

Unsolicited
mail.

Of the petition (accompanied by bill, House, No. 3040) of James R. Miceli for legislation to provide higher education tuition waivers for certain adopted students,— and recommending that the same be referred to the committee on Higher Education.

Tuition
waiver
program.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Marlborough,
2010
Corporation.

Municipalities,
health care
funds.

MassHealth,
notices.

By Mr. Bosley of North Adams, for the committee on Economic Development and Emerging Technologies, on a joint petition, a Bill establishing the Marlborough 2010 Corporation (House, No. 2029).

By Mrs. Walrath of Stow, for the committee on Health Care Financing, on a petition, a Bill to establish retiree health care liability funds for municipalities (House, No. 1140).

By the same member, for the same committee, on a petition, a Bill requiring public notice prior to restricting MassHealth coverage (House, No. 1167).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

House bills

Frances
Berghaus,
sick leave.
Dennis
McNamara,
sick leave.

Establishing a sick leave bank for Frances Berghaus an employee of the Department of Correction (House, No. 3758); and

Establishing a sick bank for a certain employee of the Department of Fish and Game (House, No. 3940);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Relative to the conveyance of a certain parcel of land in the town of Grafton (see House, No. 3745, amended); and

Authorizing the town of South Hadley to grant additional alcoholic beverages licenses (see House, No. 3752, changed);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DiMasi of Boston,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Rushing of Boston (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M.